

HOUSE BILL 1547

M2

4lr3392

By: **Delegate O'Donnell**

Rules suspended

Introduced and read first time: March 7, 2014

Rules suspended

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Hunting Licenses – Exemption for Retired Members of the Armed Forces**

3 FOR the purpose of creating an exemption from the requirement to obtain a hunting
4 license under certain circumstances for a person who is a former member of the
5 armed forces of the United States; providing that the exemption applies only to
6 hunting on certain farmland that is under certain ownership; requiring a person
7 who hunts under the exemption to possess certain identification, written
8 permission, and, under certain circumstances, hunting stamps; and generally
9 relating to exemptions from the requirement to obtain a hunting license.

10 BY repealing and reenacting, without amendments,
11 Article – Natural Resources
12 Section 10–301(b)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2013 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Natural Resources
17 Section 10–301(c)
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2013 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Natural Resources**

23 10–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) To provide a fund to pay the expense of protecting and managing wildlife,
2 and preventing unauthorized persons from hunting them, a person may not hunt or
3 attempt to hunt during open season and in any permitted manner any game birds and
4 mammals in the State without first having procured either a resident or nonresident
5 hunter's license. A person may not hunt or attempt to hunt nongame birds and
6 mammals in Baltimore County or Frederick County without first obtaining a license.
7 A permanent resident of a government reservation may obtain a resident hunter's
8 license.

9 (c) (1) Except as provided in paragraph (2) of this subsection, the
10 following persons are not required to obtain a hunter's license, bow and arrow stamp,
11 black powder stamp, or bonus antlered deer stamp:

12 (i) With respect to hunting on farmland only:

13 1. The resident owner of the farmland and the owner's
14 spouse, child, and child's spouse;

15 2. A tenant and the tenant's spouse, child, and child's
16 spouse. A tenant is a person holding land under a lease, or a sharecropper who resides
17 in a dwelling on the land, but a tenant does not include any employee of the owner or
18 tenant; and

19 3. A nonresident owner of a parcel of farmland and the
20 owner's spouse, child, and child's spouse if:

21 A. The parcel of farmland is located in Maryland and an
22 adjacent state;

23 B. The owner's primary residence is on the parcel of
24 farmland; and

25 C. The adjacent state extends similar privileges to a
26 resident of Maryland;

27 (ii) Any resident serving in the armed forces of the United
28 States while on leave in the State, during the resident's leave period, if, while hunting,
29 the resident possesses a copy of the resident's official leave order;

30 (iii) Any person serving in the armed forces of the United States
31 who has a service-connected disability, if, while hunting, the person possesses valid
32 military identification; and

33 (iv) Any unarmed person participating in an organized foxhunt.

34 (2) (i) Except as provided in subparagraph (ii) of this paragraph, in
35 order to qualify for the license and stamp exemption in accordance with paragraph (1)

1 of this subsection, a child or child's spouse must be eligible to purchase a junior
2 resident or junior nonresident hunting license.

3 (ii) If a child or child's spouse is ineligible to purchase a junior
4 resident or junior nonresident hunting license, the child or child's spouse shall qualify
5 for the license and stamp exemption if the child or child's spouse:

- 6 1. Lives on the farmland;
- 7 2. Worked on the farmland for 30 or more days during
8 the prior 12-month period; or
- 9 3. Manages the farmland.

10 **(3) (I) IN THIS PARAGRAPH, "ARMED FORCES" INCLUDES THE**
11 **U.S. COAST GUARD AND THE U.S. MERCHANT MARINE.**

12 **(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH,**
13 **A PERSON WHO IS A RETIRED FORMER MEMBER OF THE ARMED FORCES OF THE**
14 **UNITED STATES IS NOT REQUIRED TO OBTAIN A HUNTING LICENSE TO HUNT ON**
15 **FARMLAND THAT IS:**

- 16 1. **IN ACTIVE FARMING STATUS; AND**
- 17 2. **OWNED BY THE PERSON OR THE PERSON'S**
18 **SPOUSE, CHILD, CHILD'S SPOUSE, PARENT, GRANDPARENT, SIBLING, NIECE, OR**
19 **NEPHEW.**

20 **(III) A PERSON WHO HUNTS ON FARMLAND WITHOUT A**
21 **HUNTING LICENSE UNDER THIS PARAGRAPH SHALL POSSESS:**

- 22 1. **THE OFFICIAL MILITARY IDENTIFICATION CARD**
23 **OF THE PERSON;**
- 24 2. **WRITTEN PERMISSION FROM THE OWNER OF THE**
25 **FARM PROPERTY TO HUNT ON THE PROPERTY DURING A SPECIFIED PERIOD OF**
26 **TIME; AND**
- 27 3. **ANY REQUIRED HUNTING STAMPS.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2014.